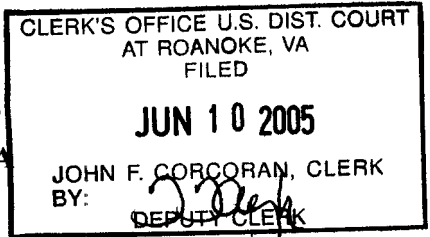


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION



LISA M. BRENNAN,)	
)	Civil Action No. 7:05-CV-00062
Petitioner,)	
)	
v.)	<u>MEMORANDUM OPINION</u>
)	<u>AND FINAL ORDER</u>
UNITED STATES OF AMERICA,)	
)	
Respondent.)	By: Samuel G. Wilson
)	United States District Judge

Petitioner Lisa M. Brennan brought this 28 U.S.C. § 2255 motion challenging her conviction and sentence, and claiming ineffective assistance of counsel.¹ This matter is before the court on the respondent's second motion to dismiss. Respondent moves to dismiss this action as moot on grounds that Brennan was murdered on June 7, 2005. Therefore, the court finds that this § 2255 motion is moot because Brennan is deceased. Accordingly, it is hereby **ORDERED** and **ADJUDGED** that the above referenced motion pursuant to 28 U.S.C. § 2255 is hereby **DISMISSED** as moot. This action is stricken from the active docket of this court.

The Clerk is directed to send certified copies of this memorandum opinion and order to the counsel for the respondent.

ENTER: This June 9, 2005.


UNITED STATES DISTRICT JUDGE

¹ Brennan was on supervised release when she filed this § 2255 motion.